

**From:** Geoffe Elias  
**To:** Microsoft ATR  
**Date:** 1/24/02 5:08am  
**Subject:** Microsoft Settlement (Geoffe Elias)

To the US Department of Justice,  
I have read the proposed settlement between the Justice Department and Microsoft Corporation. I believe that such a settlement not only fails to stifle the business practices that have brought Microsoft to court in the first place, but also creates a dangerous precedent in which in the future, companies like Microsoft may be allowed to use their dominant positions in industry to shut out competition.  
I have been a Microsoft User since Windows 3.11. It was during sophomore year in High School, that I got a computer to use for my schoolwork and computer game play. This was the year 1992.  
Now it is 10 years later in 2002. During those past 10 years, I have found that being a customer of Microsoft had been unnecessarily expensive. How? 2 reasons: As a customer, I have had to constantly upgrade to keep my computer able to play current software, and in the case of MS Office, to maintain file compatibility with other people using MS Office.  
The other reason is that Computer makers will always include the latest version of Windows in their products without providing the consumer a choice in Operating Systems from other companies.

#### Upgrade Cycle:

I had started with Windows 3.11. From then on, I have purchased boxed copies of Windows 95, Windows 98, and Windows ME. In terms of MS Office, I have purchased Office 95, Office 97, and Office XP. In the case of the operating system, I worry that support of previous versions of the operating system will cease as Microsoft lends its support and focus on the latest operating system (currently Windows XP). In the

case  
of MS Office, file formats written in MS Office  
change  
between each release of MS Office. Thus, I feel  
pressure to upgrade to the latest version of MS  
Office  
in order to maintain file compatibility with my  
fellow  
students.

As Microsoft proponents have explained, it is  
important to have industry standards such as file  
standards (standards: a common set of rules by which  
to design a file so that devices or applications  
following such rules will be able to successfully  
interact with such a file). Yet, Microsoft uses  
\*proprietary\* standards where those rules are hidden  
from the public. Thus, only Microsoft applications  
can use this secret standard and also, Microsoft is  
able to use their dominant position in industry to  
push their standards as the only standard available  
for use.

\*\*It would be nice if such standards were public so  
that any company can make software for files written  
with such public standards...

#### FORFEITURE OF CHOICE

MS Windows is installed on every new computer built  
by  
a computer company whether the consumer wishes it or  
not. For example, I had bought a new laptop  
computer  
from Dell (Dell Corporation). At the time, the only  
choices for operating systems to be installed in  
that  
computer were either Microsoft Windows 2000 or  
Microsoft Windows ME. It is interesting to note  
that  
the choice to buy a laptop without any operating  
system installed was absent. Thus, as a consumer  
buying from Dell Corp. the choices were limited to:  
buying a computer with Microsoft Windows installed,  
or  
buying no computer at all.

Due to what I see as inherent instability, lack of  
control, and bloat (excessive programming code that  
makes a program run slower) of Microsoft Windows  
design, I decided to switch to Linux. However, as a

Linux user, if I want to install new hardware (such as a TV Card, Sound Card, etc) into my desktop computer, I must first do research to see if the open source (public) community has created drivers (software designed to make a piece of hardware work under a given operating system) and applications (software designed to allow for the use of the given hardware) for that piece of add-on hardware. The fact is that a significant number of companies only provide driver and software support for only Microsoft. This condition in the marketplace where there is little hardware vendor support for operating systems besides those of Microsoft provides another unnecessary pressure to consumers to use Microsoft products.

I realize that this letter only provides complaints without proposing solutions. However, I feel that the current settlement does little to change the business practices that have led to a lack of choice for consumers regarding their software solutions.

I would also like to point out that any solution that requires an overseer (a group or person to look over the future business practices of Microsoft and make corrections as necessary) would be an abrogation of responsibility by the US Department of Justice in dealing with the problems that Microsoft's business practices have created. Any solution that is made must itself prevent future attempts by Microsoft to use their dominant position in industry to lessen competition. An overseer would and should not replace the court in deciding what punitive and corrective actions should be applied to Microsoft.

Thank you for your attention.

Geoffe Elias

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AIM: geoffe02

quote:

"I have lived long enough and had enough success as well as enough failure to tell you that you can never get discouraged, and you can never quit.

...Because you can never know when a chance for a miracle will pass you by."

--former President Clinton

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